

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERK'S OFFICE

UNITED STATES OF AMERICA )

V. )

ANDREY BUYNOVSKIY )

) CRIMINAL ACTION NO. 02-30043-MAP

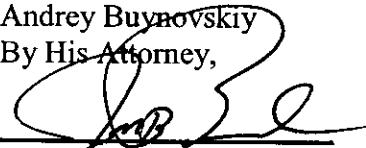
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MOTION TO MODIFY CONDITIONS OF RELEASE

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The Defendant, Andrey Buynovskiy, moves this court to revise the current Conditions of Release order. There has been a material change in circumstance which prevents Mr. Buynovskiy from reporting for probation from a "land-line" in compliance with his Conditions of Release order. As grounds, therefore please see-attached affidavit. The Defendant requests that he be allowed to comply with the Conditions of Release by using his "cell phone". Further, the Defendant is willing to provide verification of his location and activity by was of his employer.

Andrey Buynovskiy  
By His Attorney,

  
\_\_\_\_\_  
Joseph D. Bernard  
73 State Street, Suite 301  
Springfield, MA 01103  
413-731-9995  
BBO#: 557986

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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  )  
V.                                    ) CRIMINAL ACTION NO.: 02-30043-MAP  
  )  
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  )

AFFIDAVIT

1. I, Joseph D. Bernard, represent the above-named Defendant, Andrey Buynovskiy.
2. Upon information and belief, there has been a material change in circumstances which warrants a change in certain conditions placed upon Mr. Buynovskiy. Upon information and belief, one of the conditions for release is that Mr. Buynovskiy either report to probation in person or by way of a "land-line".
3. Upon information and belief, Mr. Buynovskiy has retained employment with Gilbert Palentino and Son Insulation Inc., located at 68 Springfield Street, Chicopee, MA 01013, a construction company which specializes in insulation installation.
4. Upon information and belief, Mr. Buynovskiy's employment with Gilbert Palentino and Son Insulation, Inc. began Monday, March 8, 2004.
5. Upon information and belief, Gilbert Palentino and Son Insulation Inc. provides services in both Connecticut and Massachusetts and is involved in the construction of new homes throughout Connecticut and Massachusetts.
6. Upon information and belief, Mr. Buynovskiy's job requires that he travel into rural areas of Massachusetts and Connecticut as part of his employment with Gilbert Palentino and Sons Insulation Inc.
7. Upon information and belief, these rural areas frequently do not contain "land-lines" for Mr. Buynovskiy to call from in accordance with his Conditions of Release. Upon information and belief, this hinders Mr. Buynovskiy's ability to earn wages from his employer.

Signed under the pains and penalties of perjury this 19<sup>th</sup> day of March 2004.

  
\_\_\_\_\_  
Joseph D. Bernard

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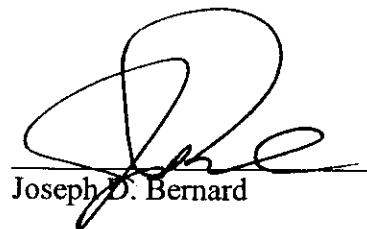
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**Certificate of Service**

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I hereby certify that I served a copy of the foregoing Motion, by Hand delivery, this 19<sup>th</sup> day of March, 2004 on:

Assistant United States Attorney  
Kevin O' Reagan  
U.S. Attorney's Office  
1550 Main Street, Room 310  
Springfield, MA 01103

  
Joseph D. Bernard